

United States Bankruptcy Court  
Eastern District of Virginia  
Alexandria Division

In RE:  
Miriam Gladis Via  
Debtor(s)

BCN#: 18-13015-KHK  
Chapter: 13

OBJECTION OF WELLS FARGO BANK, N.A.  
TO PROPOSED CHAPTER 13 PLAN AND  
CONFIRMATION THEREOF

Wells Fargo Bank, N.A., and its assignees and/or successors in interest, a secured creditor in the above-entitled Bankruptcy proceeding, hereby submits the following objections to the confirmation of the Chapter 13 Plan proposed by Debtor:

1. This objecting secured creditor is the beneficiary of a trust deed on property commonly known as 3229 Viscount Ct, Annandale, VA 22003; the promissory note and deed of trust will be attached to the proof of claim when it is filed by the secured creditor.
2. The debtor is due for estimated pre-petition arrears in the amount of \$7,255.26.
3. The proposed Plan does not set forth a reasonable schedule and time period for the payment of arrearages on the deed of trust.
4. The proposed Chapter 13 plan does not provide this objecting secured creditor with adequate protection or adequate security, according to Sections 362 and 1325(a) of the Code.
5. As indicated by the debtor's payment history and schedules, the Plan is not feasible.
6. The Plan does not propose to pay the secured creditor's entire claim which is estimated to be \$7,255.26

/s/ Mary F. Balthasar Lake

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Chesapeake, Virginia 23320  
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## CONCLUSION

Any Chapter 13 Plan proposed by Debtors must provide for and eliminate the objections specified above in order to be feasible and to provide adequate protection to this objecting secured creditor. It is respectfully requested that confirmation of the Chapter 13 Plan as proposed by Debtor be denied.

WHEREFORE, secured creditor prays as follows:

1. That confirmation of the proposed Chapter 13 Plan be denied.
2. For attorney's fees and costs incurred herein.
3. That a hearing be held November 8, 2018, at 9:30 am on this objection.
4. For such other relief as this Court deems proper.

Dated: October 9, 2018

Respectfully submitted  
Wells Fargo Bank, N.A.  
By Counsel:

/s/ Mary F. Balthasar Lake

Gregory N. Britto, Esquire  
Malcolm B. Savage, III, Esquire  
William M. Savage, Esquire  
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(703) 449-5800

I certify that I have electronically transmitted and/or mailed true copies of the above Objections to the Chapter 13 Plan, by First Class Mail, postage prepaid on this 9th day of October, 2018, to the following:

Amir Raminpour  
Sandground, West, Silek  
& Raminpour, PLC  
8500 Leesburg Pike, Suite 400  
Vienna, VA 22182

Thomas P. Gorman  
300 N. Washington St.  
Suite 400  
Alexandria, VA 22314

Miriam Gladis Via  
3229 Viscount Ct  
Annandale, VA 22003

/s/ Mary F. Balthasar Lake

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NOTICE OF MOTION AND HEARING

Wells Fargo Bank, N.A. has filed papers with the court objecting to the proposed Chapter 13 plan and confirmation thereof.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not wish the Court to grant the relief sought in the motion, or if you want the Court to consider your views on the motion, then within fifteen (15) days from the date of service of this motion, you must file a written response explaining your position with the Court at the following address: Clerk of Court, United States Bankruptcy Court, P.O. Box 19247, Alexandria, VA 22320, and serve a copy on the movant at the following address: Shapiro & Brown, LLP, 501 Independence Parkway, Suite 203, Chesapeake, VA 23320. Unless a written response is filed and served within this fifteen day period, the Court may deem any opposition waived, treat the motion as conceded, and issue an order granting the requested relief.

If you mail your response to the Court for filing, you must mail it early enough so the Court will receive it on or before the expiration of the fifteen day period.

In order to oppose this motion, you must also attend the preliminary hearing scheduled to be held on: November 8, 2018, at 9:30 am in Courtroom III, United States Bankruptcy Court, 200 South Washington Street, Alexandria, VA 22314.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

18-276052

Dated: October 9, 2018

SHAPIRO & BROWN, LLP  
Attorneys for Wells Fargo Bank, N.A.

By: /s/ Mary F. Balthasar Lake  
Gregory N. Britto, Esquire  
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#### CERTIFICATE OF SERVICE

I certify that I have this 9th day of October, 2018, electronically transmitted and/or mailed by first class mail, postage pre-paid or hand-delivered a true copy of the foregoing Notice of Motion (or Objection) to the following:

Amir Raminpour  
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& Raminpour, PLC  
8500 Leesburg Pike, Suite 400  
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